

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 7 and replaces the original sheet with Fig. 7.

Attachment: Replacement Sheet

REMARKS

Claims 1-13 are pending in this application. By this Amendment, the Abstract, Fig. 7, and claims 1-11 are amended. Claims 12 and 13 are added. The amendments and added claims introduce no new matter. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

I. Formal Matters

The Office Action, in paragraph 1, objects to Fig. 7 as requiring a legend. Fig. 7 is amended with the inclusion of the attached replacement sheet drawing to include a legend. Withdrawal of the objection to the drawings is respectfully requested.

The Office Action, in paragraph 2, objects to the disclosure, and specifically the Abstract, for an informality. The Abstract is amended to obviate this objection. Withdrawal of the objection to the disclosure is respectfully requested.

II. The Claims Are Definite

The Office Action, in paragraph 4, rejects claims 1-11 under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The Office Action asserts that the phrase a part of the rubber constituting a top portion of the sub block has been removed to reduce the area of the upper surface of the sub block is ambiguous. The Examiner states, in particular, that it is unclear if this requires the sides of the block to change. Applicant asserts that this language is not ambiguous, and can be interpreted literally to encompass any part of the rubber constituting the top portion of the sub block being removed to reduce the area of the upper face of the sub block (see pg. 6, lines 22-25 of Applicant's disclosure).

The Office Action also refers to the language "negative ratio" contained in at least claim 5, as being indefinite. The claims are amended to obviate this rejection.

The Office Action also asserts that the term "bending portion" is indefinite and that there is no antecedent basis for "said bending portion" in claim 9. The amendment of claims 8 and 9 obviates this rejection. Applicant asserts that claims 8 and 9, as amended, adequately describe the feature of the bending portion (see page 8, lines 22-28 of Applicant's disclosure). Claim 9, as amended, also provides proper antecedent basis for "said bending portion" in claim 9.

In view of the foregoing, Applicant asserts that the claims are definite and respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. §112, second paragraph.

III. The Claims Recite Patentable Subject Matter

The Office Action, in paragraph 7, rejects claims 1-4 under 35 U.S.C. §102(b) as being anticipated by JP 3-143705 (hereinafter "JP 705"); and, in paragraph 8, rejects claims 1-7 and 11 under 35 U.S.C. §103(a) as being unpatentable over JP 705. These rejections are respectfully traversed.

The Office Action does not address, nor does JP 705 teach or reasonably suggest, at least the feature of a part of the rubber constituting a top portion of the sub block being removed to reduce the area of an upper face of the sub block. The Office Action merely states, in this regard, that the claimed sub blocks read on the semi-ribs 4 having a cross sectional shape shown in Fig. 3 of JP 705. However, the semi-ribs 4 are disclosed as formed with radiused sides. No further removal of the rubber constituting the upper portion of the semi-ribs is suggested. In other words, unlike the present subject matter, the surface area of the upper face of the semi-ribs in JP 705 matches the area projected by the sides.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-4 under 35 U.S.C. §102(b) and 1-7 and 11 under 35 U.S.C. §103(a) are respectfully requested.

The Office Action, in paragraph 9, rejects claims 1-11 under 35 U.S.C. §103(a) as being unpatentable over JP 2000-25417 (hereinafter "JP 417") in view of U.S. Patent No. 5,088,535 to Potts et al. (hereinafter "Potts"). This rejection is respectfully traversed.

JP 417 discloses a motorcycle tire comprising cross direction block rows provided in the circumferential direction of the tire with sub blocks interspaced between them. Blocks 18 are arranged outward of the block rows and sub-blocks. The Office Action concedes that JP 417 does not recite beveling the sub blocks. As such, the Examiner relies on Potts to fill in this shortfall. However, Potts fails to disclose the relevant features for at least the following reasons.

The Office Action inaccurately paraphrases the feature of a part of the rubber constituting a top portion of the sub block is removed to reduce the area of a upper face of the sub block, to beveling the sub blocks. Potts teaches beveling the edges of blocks. No suggestion is made in Potts, however, of the forming of a sub block and removing a further part of the top portion of the sub block. Rather, the beveled edges 33 in Potts are formed to extend from the top to the bottom of the blocks (see Fig. 2).

Additionally, the combination of these references is unreasonable for at least the following reason. Although the title of Potts is a "bicycle or motorcycle tire tread", the disclosure makes clear that the tread is directed toward bicycle tires (see Abstract and col. 1, lines 18-20, 29-34). Bicycle tires operate under exceptionally different parameters than motorcycle tires, for example, speed, load, and shear. Accordingly, they are designed to different interrelated specifications, for example, size, thickness, composition and tread design. Based on these substantial differences in conditions and design, it would not be obvious to one of ordinary skill in the art to look to a tread feature intended for bicycle tires, to modify a motorcycle tread. In other words, it would not be obvious to look to the beveled

edge feature disclosed in Potts to address the problems confronting the inventors of the present subject matter.

Further, Potts discloses beveling the edges of blocks spaced laterally outside of the center traction blocks. These blocks, exterior to the center traction blocks, do not correspond to sub blocks spaced in between the block rows of JP 417. As such, it would not have been obvious to one of ordinary skill in the art to modify the sub blocks in the manner suggested by Potts.

Finally, the beveled edge feature disclosed in Potts, and the problem addressed by it, are not sufficiently related to the features and problems addressed by the present subject matter to provide sufficient motivation to combine the references. Potts teaches a large trough distance between the blocks, specifically between the facing side edges of adjacent blocks, as a way to allow the ground surface to drop into the trough during cornering. The beveled outer edges 33 are used to facilitate this action. The beveled edges make it easier for the ground surface to ride over the beveled inner tread block into the trough and against the inner edge of the next adjacent outer tread block. The presently recited subject matter, rather, is intended, among other things, to improve the traction characteristic and an anti-side slip characteristic without involving a deterioration of a mud expulsion characteristic. The main blocks 14 of Applicant's disclosure do not provide a trough between the facing side edges of adjacent blocks, as disclosed in Potts, that would allow the ground surface to drop into the trough in a way facilitated by the beveled outer edges of the sub-blocks. Likewise, the sub-blocks 16 of JP 417 do not correspond to the trough function described in Potts in such a manner as to render obvious the combination of JP 417 and Potts. As such, the solution proposed by Potts, would not logically commend itself to the objectives of the present subject matter.

For at least these reasons, one of ordinary skill in the art would not have been motivated to combine Potts and JP 417 in order to address the problems facing the inventors of the present subject matter and, even if they were, Potts does not teach the features attributed to it by the Office Action.

For at least these reasons, the applied prior art references cannot reasonably be considered to teach, or to have suggested, the combination of all the features recited in independent claim 1. Additionally, claims 2-11 are also neither taught, nor would they have been suggested by the applied prior art references for at least the respective dependence of these claims directly or indirectly on independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Claims 12 and 13 are added to incorporate the features of (1) wherein the upper face of at least one of the sub blocks has at least one chamfered edge; and (2) wherein the central region of the upper face of at least one sub block comprises a depression, respectively. The applied prior art references do not teach, nor can they reasonably be considered to have suggested, such features.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JEG/brp

Attachment:

Amended Abstract
Replacement Drawing Sheet (Fig. 7)

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